

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: WALLACH=24

In re Application of:	)	Conf. No. 9660
David WALLACH	)	Art Unit: 1642
Appln. No.: 09/445,223	)	Examiner: M. Davis
Filed: December 6, 1999	)	Washington, D.C.
For: MODULATORS OF	)	February 28, 2002
INTRACELLULAR INFLAMMATION)	)	
CELL DEATH, AND ...	)	

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B-22-02

AMENDMENT

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Honorable Commissioner for Patents  
Washington, D.C. 20231

MAR 06 2002  
TECH CENTER 1600/2900

Sir:

In response to the Office Action of November 28, 2001, petition for a three-month extension of time and payment thereof being attached hereto, please amend as follows:

IN THE CLAIMS

Please rewrite claims 44, 40-42, 11, 22-24, 29, 30, 36 and 37 in amended form as follows:

44 (Amended). A DNA sequence encoding a polypeptide which potentiates cell death, said polypeptide consisting of:

- (a) a sequence comprising SEQ ID NO:1;
- (b) a sequence comprising an analog of (a) having

no more than ten changes in the amino acid sequence of (a), each said change being a substitution, deletion or insertion

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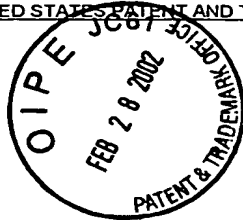
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
In Re Application of: David WALLACH et al

Application No.: 90/445,223

Filed: December 6, 1999

For: MODULATORS OF INTRACELLULAR INFLAMMATION, CELL DEATH, AND ...



Art Unit: 1642

Examiner: M. Davis

Washington, D.C.

Atty.'s Docket: WALLACH-24

Date: February 28, 2002

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TECH CENTER 1600/2900

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a  Amendment  Substitute Specification  
in the above-identified application.

- Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.
- No additional fee is required.
- The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 35	MINUS	** 39		0
INDEP.	* 5	MINUS	*** 3		0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	\$

OR  
  
  
  
  
  
  
OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

- Conditional Petition for Extension of Time  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

<p>Small Entity Response Filed Within</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> First - \$ 55.00</li> <li><input type="checkbox"/> Second - \$ 200.00</li> <li><input type="checkbox"/> Third - \$ 460.00</li> <li><input type="checkbox"/> Fourth - \$ 720.00</li> </ul> <p>Month After Time Period Set</p>	<p>Other Than Small Entity Response Filed Within</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> First - \$ 110.00</li> <li><input type="checkbox"/> Second - \$ 400.00</li> <li><input checked="" type="checkbox"/> Third - \$ 920.00</li> <li><input type="checkbox"/> Fourth - \$ 1440.00</li> </ul> <p>Month After Time Period Set</p>
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- Less fees (\$ \_\_\_\_\_) already paid for \_\_\_\_\_ month(s) extension of time on \_\_\_\_\_.
- Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.
- Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 920.00.
- A check in the amount of \$ \_\_\_\_\_ is attached (check no. \_\_\_\_\_).
- The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

02/04/2002 JBALINAN 00000119 09445223  
01 50:117 920.00 CP  
Facsimile: (202) 737-3528  
Telephone: (202) 628-5197

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

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By: *Roger L. Browdy*  
Roger L. Browdy  
Registration No. 25,618